



---

85 Broad St., Suite 501, New York, New York 10004  
t: 212.471.5100 f:212.471.5150  
friedmanvartolo.com

November 8, 2021

Honorable Cecelia G. Morris  
Chief United States Bankruptcy Court Judge  
Southern District of New York  
355 Main Street  
Poughkeepsie, NY 12601

Re: Italo LeDonne & Deborah A LeDonne  
Bankruptcy Case No: 19-36489-cgm

This office represents the Secured Creditor, SN Servicing Corporation, as servicer for U.S. Bank Trust National Association, as Trustee of the Igloo Series IV Trust in the above referenced action (the "Secured Creditor"). Pursuant to the court's loss mitigation order entered on February 22, 2021, please let this letter serve as a status report and summary of what has transpired between the parties.

On June 17, 2021, Secured Creditor offered a trial modification wherein the Debtors are to make monthly payments in the amount of \$2,863.76 beginning August 1, 2021. Same was sent to the Debtor's Attorney to be reviewed and accepted. The Debtors have accepted the trial modification and are due for the October 1, 2021, and November 1, 2021, payments.

Upon information and belief, the Debtors have stopped making the trial loan modification payments due to the claim that First Union National Bank has lien priority over the lien position of the Secured Creditor. The Secured Creditor disputes the claim of First Union National Bank.

The Secured Creditors predecessor in interest obtained a Judgment of Foreclosure and Sale which was entered by the Supreme Court of the State of New York County of Putnam on July 12, 2019, in the action captioned U. S. Bank National Association, not individually but solely as Trustee for Blue Water Investment Trust 2018-A Plaintiff v. Italo J. LeDonne a/k/a Kalo J. LeDonne; Deborah A. LeDonne; The Prudential Home Mortgage Company, Inc.; Home Mortgage Company Inc.; First Union National Bank Defendants Index Number 500300/2018.

The Defendant First Union National Bank defaulted in the action and never raised any defense or challenge the right of Plaintiff or its successor in interests right to foreclose its interest over First Union National Bank's interest in the property. As such, Secured Creditor, Plaintiff and its successors in interest maintain priority over any claim of First Union National Bank.

The next hearing on Loss Mitigation is scheduled for December 7, 2021.

Sincerely,

/s/ Michael L. Carey, Esq.  
Michael L. Carey, Esq.  
Friedman Vartolo LLP  
1325 Franklin Ave., Suite 160  
Garden City, New York 11530  
(P) 212.471.5100  
(F) 212.471.5150  
bankruptcy@friedmanvartolo.com